

Date Mailed February 21, 2001
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BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN

Investigation Into Ameritech Wisconsin's Unbundled Network  
Elements

6720-TI-161

**CONFIDENTIALITY DETERMINATION**

This determination concerning records filed confidentially with the Commission is made pursuant to Wis. Stat. § 196.14 (1999-2000), Wis. Admin. Code § PSC 2.06 and the Commission's November 21, 2000, order delegating responsibilities under Wis. Admin. Code § PSC 2.06 to the Administrative Law Judge to determine requests for confidential treatment of certain document submissions.

The handling of confidential information requires the Commission to balance the concerns of the parties submitting confidential commercial or financial information and that of the interest of the public in accessing that information. This careful balancing of competing interests affects both the competitive nature of the telecommunications industry and the performance of the Commission's public responsibilities. As the telecommunications industry becomes increasingly competitive, companies increasingly assert that the information they provide to the Commission is competitively sensitive.

From January 22, 2001 to February 20, 2001, written applications were submitted by Ameritech Wisconsin and competitive local exchange carriers (due to derivative use of information for which Ameritech has requested confidential status) seeking confidential status for numerous Ameritech Wisconsin cost studies and related information submitted in this docket.

The applications' control numbers are as follows (see Attachment A for dates filed and descriptions):

1167, 1166, 1177, 1178, 1179, 1180, 4009, 4010, 4011, 1412, 4139, 4140, 4141, 4142, 4143, 890, 891, 892, 887, 888, 889, 894, 19191, 19192, 12698, 19182, 19195, 19196, 19193, 19194, 12700, 19494, 19183, 19184, 19185, 19186, 19187, 19188, 19189, 19190, 19198, 19199, 9221, 9220, 12471, 12472, 12473, 12474, 9223, 12436, 9224, 18892, 18893, 18894, 6375, 7490, 7489, 7488, 487, 7486, 9228, 9227, 9226, 7485, 9230, 9229, 11863, 18895.

**The above applications are denied in part and granted in part.**

The identification of vendors, information from vendor contracts, Ameritech specific labor rates, Ameritech specific plant indexes, Ameritech specific distance measurements and non-public Ameritech specific usage data, and non-public Ameritech specific cost data is not available publicly and consists of Ameritech specific data. In addition, disks that contain operating cost models have had substantial corporate resources devoted to them and a competitor could avoid substantial expenditures to create comparable operating models.

1. The information listed above is assigned confidential status because it is information that would aid a competitor.

2. The Commission has the authority to compel the submittal of this information pursuant to Wis. Stat. § 196.02.

3. The Commission has authority to assign confidential status to the requested information under Wis. Stat. § 196.14.

Other information was provided that is not the type of information listed above. Some of the information filed consists of estimates by Ameritech personnel, and results for cost models

the nature of which have appeared in public documents and from which no individual Ameritech specific data can be derived. Examples of such estimates include estimates of capital costs, time intervals, probability of occurrence, proportion of manual processing, weightings and overhead loadings. The estimates are subjective information that does not reveal any specifics regarding Ameritech's actual operations. The Commission finds no basis for allowing confidential status of this information.

This Confidentiality Determination is not a final determination under the Public Records law; it is the Commission's initial decision for purposes of managing its files. This Confidentiality Determination does not prejudice the right of any person to submit a public records request to inspect the contents of the filings subject to this determination.

Under Wis. Admin. Code § PSC 2.06(6) information for which confidential status has been requested shall not be open to public scrutiny until 40 days after the issuance of the confidentiality determination.

**WHEREFORE:**

1. The identification of vendors, information from vendor contracts, Ameritech specific labor rates, Ameritech specific plant indexes, Ameritech specific distance measurements and non-public Ameritech specific usage data, and non-public Ameritech specific cost data as well as disks that contain operating cost models are GRANTED confidential status as the applicant has demonstrated that its request is consistent with the criteria for treating information as confidential.

2. Information other than that listed above in number one is DENIED confidential status. This information shall be open to public scrutiny on or after May 2, 2001. Ameritech shall

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provide the Commission with a public version complying with this determination by April 30, 2001.

3. The above applicant, upon receipt of this determination, shall serve a copy of this determination on all persons listed on the service list for docket 6720-TI-161 and shall file proof of service with the Commission within three calendar days of service.

Dated at Madison, Wisconsin, \_\_\_\_\_

For the Commission:

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Jeffrey J. Patzke  
Administrative Law Judge

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